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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,322	09/29/2003	Shoichi Kan	1232-5166	5284
27123	7590	02/24/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			LIANG, LEONARD S	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/675,322	Applicant(s) KAN ET AL.	
	Examiner Leonard S. Liang	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 801a, 803a, 804a, 953. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "950" and "959" have both been used to designate a cradle. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

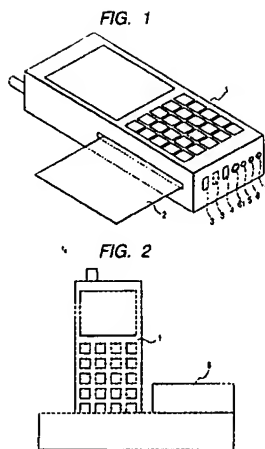
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 9-11, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Ando (US Pat 6742887).

Ando discloses:

- {claim 1} An image forming apparatus capable of being contained in a container stand as a placement stand, the container being separate from the image forming apparatus (figure 2, reference 1, 8)

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- {claim 2} wherein the apparatus is used in a mode of horizontal placement at the time of forming images (figure 1), and capable of being contained in a mode of vertical placement at the time of non-use adopting the mode having the apparatus to be contained in the container stand (figure 2, reference 1, 8; column 2, lines 30-67)
- {claim 3} a battery (column 2, lines 30-67); charging means for charging the battery, wherein the charging of the battery is conducted by containing the apparatus in the container stand at the time of non-use (column 2, lines 30-67)
- {claims 4 and 11} wherein the battery and the charging means are incorporated in a charging device structured to be attachable to and detachable from the image forming apparatus, and the charging of the battery is conducted by containing in the container stand the charging device in the status of being mounted on the image forming apparatus (column 2, lines 30-67)
- {claim 5} wherein on the backside of the charging device, the contact point portion is provided, and the contact terminal portion is provided for the container stand, and the contact point portion and the contact terminal portion are

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electrically connected by containing the image forming apparatus having the charging device mounted thereon in the container stand (figure 1, reference 3; defining antennae side to be front side; column 4, lines 20-37)

- {claim 9} wherein the charging device is provided with a portion to hide the DC jack for input use for the image forming apparatus, and when the image forming apparatus having the charging device mounted thereon is contained in the container stand, the structural portion of the container stand covers the jack for DC input use of the charging device (figure 1-2, reference 3 represents DC jack; notice DC jack is hidden when placed in charging stand 8)
- {claim 10} wherein the battery is incorporated in the image forming apparatus, and the charging means is incorporated in the container stand, and the battery is charged when the image forming apparatus is contained in the container stand (column 2, lines 30-67)
- {claim 16} wherein the indication means for showing the charging condition of the battery is recognizable even when the image forming apparatus is contained in the container stand in any direction, forward or backward, and the contact point portion and the contact terminal portion are electrically connectable (figure 4, reference 8; column 5, line 51-column 6, line 11)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ando (US Pat 6742887) in view of Saji (US Pat 5479486).

Ando discloses, with respect to claims 6-8 and 12-15, an image forming apparatus (as applied to claims 1-5, 9-11, and 16 above).

Ando differs from the claimed invention in that it does not disclose:

- {claims 6 and 12} wherein the contact point portion of the charging device, and the contact terminal portion of the container stand are arranged in the central portion of the connecting surface of the charging device and the container stand, respectively, and are in a symmetrical mode
- {claims 7 and 13} wherein the cradle is provided with a shutter mechanism for protecting the contact terminal portion, and the shutter mechanism retracts by containing the image forming apparatus having the charging device mounted thereon in the container stand
- {claim 8} wherein the load required for pressurizing the contact terminal portion to be in contact and retracting the shutter mechanism is smaller than the weight of the charging device alone
- {claim 14} wherein the load required for pressurizing the contact terminal portion to be in contact and retracting the shutter mechanism is smaller than the weight of the image forming apparatus

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- {claim 15} wherein either the charging device or the image forming apparatus is provided with indication means for showing the charging condition of the battery, and the indication means is structured to be recognizable even when the image forming apparatus is contained in the container stand

Saji discloses:

- {claims 6 and 12} wherein the contact point portion of the charging device, and the contact terminal portion of the container stand are arranged in the central portion of the connecting surface of the charging device and the container stand, respectively, and are in a symmetrical mode (figure 4, reference 1, 6)
- {claims 7 and 13} wherein the cradle is provided with a shutter mechanism for protecting the contact terminal portion, and the shutter mechanism retracts by containing the image forming apparatus having the charging device mounted thereon in the container stand (figure 4, reference 1, 6; column 4, lines 32-39)
- {claim 14} wherein the load required for pressurizing the contact terminal portion to be in contact and retracting the shutter mechanism is smaller than the weight of the image forming apparatus (column 4, lines 32-39)
- {claim 15} wherein either the charging device or the image forming apparatus is provided with indication means for showing the charging condition of the battery, and the indication means is structured to be recognizable even when the image forming apparatus is contained in the container stand (figure 4, reference 8)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Saji into the invention of Ando et al. The motivation for the skilled artisan in doing so is to gain the benefit of having a compact aesthetically pleasing charging stand. The combination naturally suggests that the load required for pressurizing the contact terminal portion to be in contact and retracting the shutter mechanism is smaller than the weight of the charging device alone (because the weight of the charging device is inherently larger than the weight of the image forming apparatus/phone being charged. If this were not the case, the stand would not be able to support the weight of the image forming apparatus/phone).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ando (US Pat 6742887) in view of Silverbrook et al (US Pat 6290349).

Ando discloses, with respect to claim 17, an image forming apparatus (as applied to claims 1-5, 9-11, and 16 above).

Ando differs from the claimed invention in that it does not disclose wherein a recording sheet supply tray dually functioning as a cover capable of being open and closed with respect to the image forming apparatus is structured not to open when the image forming apparatus is contained in the container stand.

Silverbrook et al discloses wherein a recording sheet supply tray dually functioning as a cover capable of being open and closed with respect to the image forming apparatus is structured not to open when the image forming apparatus is contained in the container stand (figure 3, reference 607; when phone is in normal closed position).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Silverbrook into the invention of Ando. The motivation for the skilled artisan in doing so is to gain the benefit of having a media pack so that sheets don't have to be individually loaded to the printer assembly.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ando (US Pat 6742887) in view of Bork (US Pat 6255800).

Ando discloses, with respect to claim 18, an image forming apparatus (as applied to claims 1-5, 9-11, and 16 above).

Ando differs from the claimed invention in that it does not disclose wherein the image forming apparatus can be contained in the container stand in the status having an I/F cable connected thereto.

Bork discloses wherein the image forming apparatus can be contained in the container stand in the status having an I/F cable connected thereto (figure 17).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Bork into the invention of Ando. The motivation for the skilled artisan in doing so is to gain the benefit of being able to receive and transmit information to a computer.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Asano et al (US Pat 6382761) discloses a recording apparatus and battery holding mechanism for use in the recording apparatus.

May (US Pat 5446783) discloses a cellular phone with infrared battery pack.

Stephenson (US Pat 6241351) discloses a portable rechargeable battery powered printer for use with a computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S. Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Stephen D. Meier
Primary Examiner